

27 AUGUST 1946

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Of  
WITNESSES

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I N D E X  
Of  
EXHIBITS

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	283	Documents (in Chinese)		4340
	284	" " "		4340
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290		Telegram from KUWASHIMA, Consul General in Tientsin to the Foreign Minister SHIDEHARA in Tokyo dated at Tientsin 3 Nov 1931		4367

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1 Tuesday, 27 August, 1946

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3  
4 INTERNATIONAL MILITARY TRIBUNAL  
5 FOR THE FAR EAST  
6 Court House of the Tribunal  
7 War Ministry Building  
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,  
10 at 0930.

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12  
13 Appearances:

14 For the Tribunal, same as before.

15 For the Prosecution Section, same as before.

16 For the Defense Section, same as before.

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19  
20 (English to Japanese, Japanese to  
21 English, English to Chinese, and Chinese to  
22 English interpretation was made by the  
23 Language Section, IMTFE.)  
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MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now in session.

THE PRESIDENT: All the accused are present except OKAWA, MATSUI and HIRANUMA, who are represented by their respective counsel. I have a further certificate, certifying to continued illness of HIRANUMA, which is under the hand of the Medical Officer of Sugamo Prison. The certificate will be recorded and filed.

Mr. OKAMOTO.

MR. T. OKAMOTO: In accordance with the desire of the President, I shall try to save time as much as possible and shall confine my cross-examination this morning to just one point.

THE PRESIDENT: Now, the real question here is whether the witness was really a puppet, and it is beside the question whether he was a willing or an unwilling puppet. The cross-examiner should keep that in mind. We are not trying the witness.

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1 H E N R Y P U - U I, called as a witness on behalf  
2 of the prosecution, resumed the stand and tes-  
3 tified as follows:

4 CROSS-EXAMINATION (Continued)

5 BY MR. T. OKAMOTO:

6 Q Have you ever asked the Japanese Government  
7 to make you Emperor -- to assist you to become Em-  
8 peror of China again and to reign in the Forbidden  
9 City?

10 A No.

11 Q But did you not always believe that you  
12 had a heavenly mission to regain the Forbidden City?

13 A No.

14 Q It seems that today you are greatly dis-  
15 satisfied with the Japanese Government. Is that not  
16 because Japan refused -- Japan did not assist you in  
17 attaining this so-called heavenly mission?

18 A This is all fabricated story.

19 Q You have stated that in order to deceive  
20 the Japanese Government you made various false state-  
21 ments while you were Emperor, and that you even wrote  
22 poems honoring Japan, but were not these honors also  
23 because of your desire to regain the Forbidden City?

24 A I have already replied to you, no.  
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1 MR. FUJII: I am FUJII, Goichiro, counsel  
2 for the defendant HOSHINO, Naoki.

3 CROSS-EXAMINATION (Continued)

4 BY MR. FUJII:

5 Q Please tell us how, in what manner, laws and  
6 ordinances were promulgated in Manchuria.

7 A I had already stated all this to the Court  
8 in previous sessions. Do you want me to repeat all  
9 this again?

10 Q Very well, then. I wish to ask you, please  
11 tell us of any point of which you have not already  
12 told this Court. Is it not necessary that the  
13 original of laws and ordinances must have the Imperial  
14 Seal on them in order to be promulgated?

15 A Naturally, of course.

16 Q Who has the responsibility for keeping this  
17 Imperial Seal?

18 A It is being kept by the Archives Office,  
19 the Director of the Archives Office.

20 MR. KEENAN: Mr. President, may I address  
21 the Court for a moment? In the interest of proper  
22 procedure in this Court, towards arriving at a final  
23 determination, I respectfully make this suggestion:  
24 that this witness has made it abundantly clear his  
25 contention that what he did he did under compulsion.

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1 Therefore, I suggest that the question as to where  
2 seals are kept, the minute details are not important.  
3 That is far remote from any contribution towards  
4 testing the credibility of the witness. I ask,  
5 therefore, respectfully, if it is in good order, that  
6 the counsel be instructed on this point.

7 THE PRESIDENT: We have already heard full  
8 cross-examination on the question of the existence,  
9 the custody, and the use of the witness' seals.  
10 Nothing is to be gained by covering the same ground  
11 again.

12 MR. FUJII: The witness has testified that  
13 all ordinances and laws were promulgated in accordance  
14 with the desires of the Kwantung Army, but it is my  
15 belief that when the procedure concerning the pro-  
16 mulgation of these laws and ordinances is studied  
17 fully, the witness' credibility on this point -- we  
18 may gain some information concerning the witness'  
19 credibility on this point.

20 THE PRESIDENT: Well, that has nothing to  
21 do with the use of seals. You may cross-examine him  
22 on new matters.

23 Q Then, in giving Imperial sanction to these  
24 laws and ordinances did the Ministers of State make  
25 reports to you concerning the nature, the contents,

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1 of these laws and ordinances before Imperial sanction  
2 was given?

3 A Only a brief written report is submitted  
4 before any law is formally promulgated -- is sub-  
5 mitted to me.

6 Q On listening to these explanations --

7 THE PRESIDENT: Wait. I am listening to  
8 some important information from the Marshal, and  
9 if I listen to him I can't listen to the witness.

10 Yes?

11 Q On listening to these explanations  
12 given you did you ever ask questions concerning  
13 points on which you were in doubt, or even express  
14 a contrary opinion?

15 A What you said is not a fact. When the laws  
16 and ordinances went through the State Minister is  
17 already being fixed and can never be altered. Every-  
18 thing is being handled by the Kwantung Army.

19 Q I have heard that on important political  
20 matters it was the custom for Ministers of State to  
21 give you explanations, and at the end of these ex-  
22 planations to ask your opinion as Emperor, and that  
23 it was your custom on these occasions to tell them  
24 that what you would say would be only for purposes  
25 of reference, and that Ministers of State should



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1 fulfill their duty of assisting the Throne?

2 THE PRESIDENT: Well, that is not a question;  
3 that is a statement.

4 Q Was what I have said true?

5 A Ordinarily I wasn't even allowed to see all  
6 these Ministers of State. I can only see these  
7 Ministers of State according to the time schedule  
8 made out by the Japanese, probably once or twice a  
9 year. You know when I have occasion of interviewing  
10 these Ministers of State, whatever I said to these  
11 Ministers were already foretold to me by YOSHIOKA.

12 THE MONITOR: Instead of foretold, told  
13 in advance.

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1 THE PRESIDENT: That question of yours seems  
2 to suggest that he was a limited monarch. But he  
3 insists that he was a puppet. That is the effect of  
4 what he says. As I said before, he has been giving  
5 that kind of answer throughout, and you will have to  
6 consider whether it is worthwhile cross-examining on  
7 those lines.

8 MR. FUJII: Thank you, sir.

9 Q Was not the State Council composed of the  
10 Prime Minister, ministers of the various departments,  
11 the Director of the Peace Preservation Board, and the  
12 Director of the General Affairs Board? And is it not  
13 true that all members other than the Director of the  
14 General Affairs Board were either Manchurians or  
15 Mongolians?

16 A Yes, but the vice-ministers of the various  
17 ministries were Japanese and these Japanese have  
18 organized the so-called Tuesday Meeting, and everything  
19 was being decided in the Tuesday Meeting.

20 THE INTERPRETER: The Peace Preservation  
21 Board should be corrected to the Hsing-an Board.

22 Q Are not matters coming before the State Coun-  
23 cil decided by a majority vote?

24 MR. KEENAN: Object.

25 THE PRESIDENT: Objection upheld.

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1           Q   You have called the conference of vice-  
2 ministers by the name of Tuesday Conference, and have  
3 called them secret conferences. But have matters  
4 decided by the vice-ministers' conference ever been  
5 rejected by the State Council or by the Privy Council?

6           A   It is an undeniable fact that everything was  
7 being handled and done by Japanese or Japanese Kwantung  
8 Army.

9           Q   Have matters decided, passed, by the vice-  
10 ministers' conference, which you say was directed by  
11 the Kwantung Army, ever been rejected by the State  
12 Council or by the Privy Council?

13          A   Whether it be passed or rejected is all in  
14 the hands of the Japanese. The Japanese may reject  
15 whatever there was passed by the vice-ministers' meet-  
16 ing. And the Chinese has absolutely no voice whatso-  
17 ever.

18          Q   Was not the first director of the General  
19 Affairs Board, KOMAI, Tokuzo; that is, was he not  
20 director of the General Affairs Board at the time  
21 the Japan-Manchukuo Protocol was signed?

22          A   Yes.

23          Q   Was not the next director of the General  
24 Affairs Board, that is, the director at the time Man-  
25 chukuo became an empire and at the time of your visit

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1 to Japan, ENDO, Ryusaku? Was not the next director  
2 NAGAOKA, Ryutaro, from 1935 to the beginning of 1936?  
3 And was not the next director ODATE, Shigao, from  
4 March 1936 to December of the same year?

5 A Yes.

6 Q Next, was not the defendant HOSHINO director  
7 of the General Affairs Board of that country from  
8 December 1936 to July 1940?

9 A Yes.

10 Q Then, do you know that when HOSHINO became  
11 director of the General Affairs Board, he appointed  
12 a Manchurian as a vice-director and several Manchurians  
13 as chiefs of the various bureaus and also of the  
14 various sections?

15 A The fact that he has employed some Manchurians  
16 to fill up these vacancies is a different matter.  
17 Actually, the policy was already fixed by the Japanese.

18 Q Was not Ku Tsu-hung vice-director of the  
19 General Affairs Board at the time; and did he not  
20 later become Minister of Communications of Manchuria?

21 A Yes.

22 Q You have said that the treatment accorded to  
23 Japanese and Chinese ministers and vice-ministers was  
24 very different and that it lacked impartiality. Could  
25 you give a concrete example of this?

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1           A    I was then informed by the Chairman of the  
2 Privy Council and other ministers that for the Japan-  
3 ese employees they have some separate set of regula-  
4 tions governing the payments and treatments. And those  
5 treatments were much better than what they accorded  
6 to the Chinese employees.

7           Q    I have received the following figures con-  
8 cerning the salaries of the various ministers:  
9 Ministers received an annual salary of 20,000 yen.  
10 To that was added a social functions fund of 20,000  
11 yen per annum, and 8,000 yen was given them as cash  
12 on hand. Vice-ministers received a salary of 12,000  
13 yen per annum and a social functions fund of 3,000  
14 yen per annum. Are those figures correct?

15           A    As far as I learned from the reports I re-  
16 ceived, all the Japanese were paid some secret allow-  
17 ance which is not known to outside people. And the  
18 amount they received was always higher than what the  
19 Chinese employees received.

20           Q    Did you merely hear that they received secret  
21 funds, or do you have some facts upon which to base  
22 this conclusion? If so, I should like to hear of them.

23           A    I learned of this from the Prime Minister  
24 and the Chairman of the Privy Council. These people  
25 were then being in a position of responsibility. They



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1 would not tell me lies, and they were in the position  
2 to know all this.

3 Q Then, let me ask you, who among the Manchurians  
4 working in the Manchurian Government did you hold most  
5 in trust?

6 THE PRESIDENT: The prosecution are not object-  
7 ing to all these questions, which are of no assistance.  
8 The answers will not help us in the least. We will  
9 have to indicate ourselves that we are getting no  
10 assistance whatsoever from this cross-examination.  
11 The ultimate issue here is whether the witness was a  
12 puppet or a real sovereign, whether unlimited or  
13 limited; that is, limited by his own Manchurian people.  
14 None of the cross-examination is helping to solve that  
15 question.

16 The witness has taken up a certain stand that  
17 he was wholly under the direction of the Japanese. It  
18 is a simple stand. No amount of cross-examination is  
19 going to dislodge him from it. That is obvious.

20 If we terminate cross-examination it does not  
21 necessarily follow that it will be because we believe  
22 the witness. We may have open minds about that. It  
23 will be because we think further cross-examination is  
24 utterly useless. And we do not question the ability of  
25 the cross-examiners. That has nothing to do with it.

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1 MR. FUJII: In the future I shall now conduct  
2 my **cross**-examination along the following line, that is,  
3 to show that what the witness has testified heretofore  
4 cannot be credited.  
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1 Q When you assumed the post of Regent, did you  
2 not grant a public amnesty and grant either a complete  
3 amnesty or a reduction of penalties, and did not the  
4 people rejoice in your good statesmanship -- in your  
5 wise rulership?

6 A All these were done by the Japanese Kwantung  
7 Army.

8 Q When you became Emperor, did you not worship  
9 at the tomb of your ancestor -- at each tomb of your  
10 ancestors?

11 THE PRESIDENT: He has already answered.

12 JUDGE HSIANG: I object to this question  
13 as being wholly irrelevant to any issue.

14 THE PRESIDENT: The objection is upheld.

15 Q Throughout, you have testified that, as  
16 Emperor, your activities were restricted completely  
17 by the Kwantung Army. Can you give us two or three  
18 examples of such oppression?

19 JUDGE HSIANG: The prosecution objects to  
20 this question as being repetitious. It has been  
21 answered time and again.

22 THE PRESIDENT: The objection is overruled.  
23 Answer the question.

24 A I think I have already testified to that  
25 effect, for all my actions and movements were being

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1 restricted and limited. I didn't even have the  
2 freedom of speech in my own family.

3 Q You answer is very abstract. What I wanted  
4 you to give me was a concrete example of when, con-  
5 cerning what, and in what manner you were oppressed.

6 A I can't enumerate one by one all these  
7 stories to you. If you want me to relate all these,  
8 I will have to tell you the stories ever since the  
9 establishment of Manchukuo until the Japanese sur-  
10 rendered. As a matter of fact, all these oppressive  
11 measures the Japanese adopted in Manchukuo was al-  
12 most publicly known to the people at large, and  
13 also including the Japanese, I think. For instance,  
14 those rights and privileges as prescribed by the  
15 Organic Laws of Manchukuo, I never enjoyed any of  
16 these rights or privileges. And those measures  
17 adopted by the Japanese, the Manchurians were not  
18 allowed to object to. Would you call this a govern-  
19 ment?

20 Q If you cannot give me a concrete example,  
21 stating the time and the incident itself, I shall  
22 not question you further. Then, let me ask you:  
23 First, of the three periods in your life, that is,  
24 first, the time when you were in Peking and in  
25 Tientsin; second, the time when you were in Manchukuo;

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1 and third, from the end of the war up to the present:  
2 Of these three different periods, in which period  
3 did you feel that you were most oppressed?

4 THE PRESIDENT: Just a second, please,  
5 interpreters and others. When I am talking to any-  
6 body here, do not carry on the interpretation.

7 Yes.

8 A Naturally, at the time when I was in Man-  
9 churia.

10 Q Then, do you believe that at the present  
11 period, that is, since the end of the war up to the  
12 present time -- do you believe that the Chinese  
13 people have great sympathy for you?

14 JUDGE HSIANG: Mr. President, this question  
15 is clearly outside the scope of our trial here. So,  
16 the prosecution objects to it.

17 THE PRESIDENT: Objection upheld.

18 Q Do you read the American newspaper "Stars  
19 and Stripes" at your billet where you are now?

20 JUDGE HSIANG: The prosecution objects to  
21 this question on the same ground.

22 THE PRESIDENT: Objection upheld.

23 MR. FUJII: I put this question to the witness  
24 because he has testified that at present he is very  
25 free.



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1 THE PRESIDENT: We will recess now for  
2 fifteen minutes.

3 (Whereupon, at 1045, a recess was  
4 taken until 1100, after which the proceed-  
5 ings were resumed as follows:)

6 MARSHAL OF THE COURT: The International  
7 Military Tribunal for the Far East is now resumed.

8 THE PRESIDENT: How many defense counsel  
9 propose to cross-examine after Mr. FUJII has finished?

10 Mr. Mattice.

11 MR. MATTICE: I have an answer to the question.  
12 There will be one more, if it please your Honor.

13 THE PRESIDENT: Yes.

14 Mr. FUJII.

15 BY MR. FUJII (Continued):

16 Q You have stated that since the foundation  
17 of Manchukuo the people of Manchuria were exploited  
18 and their life became very miserable. Is that so?

19 THE PRESIDENT: Do those things have to be  
20 interpreted? Do not answer. You see, to observe the  
21 Charter we have to let it go into Japanese.

22 Mr. Chief Prosecutor.

23 MR. KEENAN: Mr. President, the prosecution  
24 objects to that question as being a repetitive one,  
25 and one that has been asked and answered before.

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20 interpreted? Do not answer. You see, to observe the  
21 Charter we have to let it go into Japanese.

22 Mr. Chief Prosecutor.

23 MR. KEENAN: Mr. President, the prosecution  
24 objects to that question as being a repetitive one,  
25 and one that has been asked and answered before.

THE PRESIDENT: Objection upheld.

1 Q Do you know that various laws concerning  
2 financial matters and savings were promulgated in  
3 Manchukuo?

4 THE PRESIDENT: The question is immaterial  
5 and need not be answered.

6 Q At the time Manchukuo was founded there was  
7 a great flood on the Sungari River, and on that  
8 occasion did you not, in your name, make a loan of  
9 ten million yen to the people for rehabilitation  
10 purposes?

11 A This was also done by the Japanese when  
12 they were trying to coax the Chinese.

13 Q Then, do you know that an agricultural loan  
14 company and an industrial loan company were established  
15 in Manchukuo in order to aid smaller farmers -- small-  
16 scale farmers, merchants, and industrialists, and that  
17 a loan totaling three hundred million yen was made?

18 THE PRESIDENT: The question is immaterial  
19 and need not be answered. I am taking this stand in  
20 accordance with the decision of my colleagues, as I  
21 understand it.

22 Q You have stated that since the foundation  
23 of Manchukuo that wholesale and retail dealers were  
24 only allowed to operate with permits. Have you not  
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1 made a mistake? I have a concrete example  
2 to the contrary.

3 THE PRESIDENT: The question is disallowed as  
4 immaterial.

5 Q Then, have you ever made any kind of contact  
6 with officials of the Chinese Government regarding  
7 what you have said has been your desire -- what you  
8 have said has been a long-standing desire of yours,  
9 namely, the recovery of the lost territories?

10 A Under the circumstances, where I was almost  
11 watched and guarded by the Japanese, it was impossible  
12 for me to do that.

13 Q You have stated that freedom of faith was  
14 not -- there was no freedom of faith in Manchukuo.  
15 But do you know that on September 2, 1934, the Holy  
16 See recognized Manchukuo as a separate religious  
17 district?

18 THE PRESIDENT: The question is immaterial  
19 and need not be answered. I think actually it is a  
20 waste of time to have to listen to these questions.  
21 We are not saving much time by following this particu-  
22 lar method. What we should do -- say we have heard  
23 enough about the general issue -- allow particular  
24 accused who are affected to ask questions concerning  
25 their particular activities as testified to by the

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1 witness. It is obvious to me that this counsel is  
2 going to ask us to sit here while he asks many ques-  
3 tions which must necessarily be disallowed.

4 MR. FUJII: I shall be careful.

5 Q You have stated that you ~~had~~ personal guards.  
6 Were not these guards composed of Mongolians -- mainly  
7 of Mongolians?

8 MR. KEENAN: The prosecution objects to that  
9 question as being immaterial, having no test of the  
10 credibility of the witness.

11 THE PRESIDENT: I ~~think the objection~~ should  
12 be overruled. It might tend to indicate he was, after  
13 all, in the custody of his own people, and not in  
14 Japanese custody. You may ask that question. Of  
15 course, the Mongolians were not his own people, in the  
16 strictest sense -- the Chinese, but not the Manchurians.  
17 However, ask the question.

18 (Whereupon, the witness answered the last  
19 question as follows:)

20 A My personal guards were composed of Chinese  
21 as well as Mongolians. The number of Chinese is about  
22 equal to the number of Mongolians, but as far as I can  
23 recall I think the number of Chinese is greater than  
24 the number of Mongolians.

25 Q Where did the funds for the upkeep of these



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1 guards come from?

2 A The funds were paid out of my own pocket.  
3 The size of the guard was gradually expanded until it  
4 consists of three hundred persons. Later on, the  
5 Japanese took them off -- took them over.

6 Q The budget for the Imperial family of  
7 Manchukuo was three million yen, and out of this,  
8 eight hundred thousand yen was earmarked for your own  
9 pocket money. Besides this, the Manchurian Government  
10 set aside five million yen in bonds as the Imperial  
11 family's funds, and the interest on these ~~bonds~~  
12 amounting to one hundred fifty thousand yen per  
13 annum was also -- also became your own personal pocket  
14 money. So that, in all, you had one million fifty  
15 thousand yen per annum for your own personal expenses;  
16 is that correct?

17 THE PRESIDENT: That question is not a  
18 question really; it is a statement, or purports to  
19 be a statement of fact. It is objectionable for that  
20 reason, but the main objection to it is that it is  
21 wholly immaterial. The issue is whether this man is  
22 a puppet or not, and the method and extent of payment  
23 of him is beside the question.  
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1 Q Next I shall question you concerning the  
2 opium problem on which you have testified. Do you  
3 know that in the first year of Tatung, 1932, an  
4 opium law was put into effect and by this law the  
5 smoking of opium was -- an attempt was made to stop  
6 opium-smoking in Manchuria?

7 A Again this is one of the deeds of the  
8 Japanese. On the surface they were trying to suppress  
9 the opium, but on the other hand they were encouraging  
10 the growth of poppies. What they had actually done  
11 was very much different from what they said.

12 Q Was not opium first grown all over the  
13 provinces of Kirin and Jehol, and in order to control  
14 this, as a first step, the growing of opium was per-  
15 mitted only in the province of Jehol and was pro-  
16 hibited in all other provinces? As a second step,  
17 was not the growing of opium prohibited -- confined  
18 only to certain "shien" in Jehol?

19 LANGUAGE SECTION CHIEF: "Shien" meaning  
20 "counties."

21 A The fact was not so. The fact was like this.  
22 At the beginning the growth of poppies were confined  
23 to Jehol and a part of Hsingan Province and then  
24 later it was extended even to the provinces of Feng-  
25 tien, Kirin and a part of Szeping Province and,

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1 naturally, the quantities were getting increased  
2 every day. Opium-smoking permits were sold official-  
3 ly by the Japanese.

4 Q What is the basis for your allegations that  
5 the area in which poppies were cultivated was expanded?

6 A The money -- the proceeds of the sale of  
7 opium were accredited to a special account with the  
8 Manchu Bank -- it was credited under the special  
9 account of the Manchurian Government, not "bank."  
10 This is again one of the publicly-known facts by the  
11 Manchurian people as a whole.

12 Q Were not the proceeds turned over from the  
13 special account to the general account?

14 MR. KEENAN: Mr. President.

15 THE PRESIDENT: Yes, Mr. Chief Prosecutor.

16 MR. KEENAN: The prosecution objects to that  
17 question and calls respectfully to the mind of counsel  
18 that the President has already said in this cross-  
19 examination the general issue has been sufficiently  
20 referred to and has directed the attention of counsel  
21 to other matters, which apparently the procedure has  
22 not been observed, as I understand it, as outlined.

23 THE PRESIDENT: The position is this, Mr.  
24 Chief Prosecutor. We decided that in the first place  
25 I would disallow without any objections from the

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1 prosecution any question which I thought was not  
2 proper -- any question which was immaterial, among  
3 other things. If that failed, then the next step  
4 which I was to take after consulting my colleagues  
5 again would be to shut down on the general issue and  
6 allow particular defendants to cross-examine so  
7 far as they were personally affected by the evidence.  
8 Now, I have to wait for further decision of my col-  
9 leagues before I shut down on the general issue.  
10 Naturally, this Tribunal is most reluctant to inter-  
11 fere with cross-examination; but the Charter regards  
12 us to have regard to expedition in conducting this  
13 trial, and we will disregard the Charter if we allow  
14 time to be wasted by unnecessary, hopeless cross-  
15 examination. The interest of justice to the accused  
16 does not require us to waste time.

17 Yes, proceed with your cross-examination.

18 Well, repeat the question.

19 MR. FUJII: I have here with me material  
20 upon which to base extensive questions concerning the  
21 opium problem -- on which to put extensive questions  
22 concerning the opium problem to the accused but --

23 THE MONITOR: "To the witness."

24 MR. FUJII: (Continuing) But in order to save  
25 time, I shall confine myself to two or three questions.



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1 Q As a result of the movement by the Manchurian  
2 Government to stop the smoking of opium, I shall give  
3 a concrete example: Confirmed opium-smokers, such as  
4 Tsang-Shihyi and Sung-Chichang, who were high officials  
5 of the Manchurian Government, as a result of this  
6 movement stopped completely the smoking of opium.  
7 Is that not so?

8 MR. KEENAN: Mr. President, the prosecution  
9 objects to that question; and while I am addressing  
10 the Court and in the interest of time-saving only,  
11 may I request that all counsel be directed to confine  
12 their procedure in examination of witnesses to asking  
13 questions and not making speeches to the Court.

14 THE PRESIDENT: Almost daily since we have  
15 started to take evidence, I have stressed the fact  
16 that counsel are not at liberty to preface their  
17 questions with statements of fact; but I have had no  
18 success so far. Very few counsel observe that. As  
19 to this particular question, it is, of course, trivial,  
20 immaterial, and need not be answered.

21 Q Was not the smoking of opium strictly pro-  
22 hibited, especially to students and to army personnel?

23 A The Manchurian Army were made the labor army --  
24 the engineers in the Japanese Army, and the Manchurian  
25 students were made laborers in the Japanese Army; so



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1 whether it is students or army people, they are not  
2 allowed to smoke just because the Japanese wants to  
3 save this manpower for their Army's sake.

4 Q You have already testified that opium-  
5 smoking was -- that the smoking of opium was urged  
6 upon the Manchurians in order to weaken them physically  
7 and morally. Does not your present testimony conflict  
8 with that statement?

9 MR. KEENAN: The prosecution objects to that  
10 question and asks the direction to all counsel to  
11 refrain from arguing with any witnesses in this trial.

12 THE PRESIDENT: The objection is upheld.  
13 That is purely a matter for comment later, if it will  
14 bear comment, and it does not seem capable of bearing  
15 comment.

16 Q Are you aware of the fact that while around  
17 the time of the founding of Manchukuo, confirmed opium-  
18 smokers numbered one million, three hundred thousand;  
19 in the nine years later this number had dwindled to  
20 five hundred thousand?

21 A As a matter of fact, the number of addicts  
22 was increasing year after year. The fact that they  
23 were selling the opium-smoking permits officially is  
24 a very good way to encourage opium-smoking.

25 Q Were not these permits granted only to

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1 confirmed opium-smokers and not given to others?

2 A Whatever you say, the fact remains that the  
3 scope of the areas in which the addicts -- opium  
4 addicts -- were found is getting bigger and bigger  
5 every day. The facts is always different from what  
6 was alleged by the Japanese in writing.

7 THE MONITOR: "Was getting."

8 THE PRESIDENT: We will recess now until  
9 half-past one.

10 (Whereupon, at 1200, a recess was  
11 taken.)  
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## AFTERNOON SESSION

1 The Tribunal met, pursuant to recess, at  
2  
3 1330.

4 MARSHAL OF THE COURT: The International  
5 Military Tribunal for the Far East is now in session.

6  
7 H E N R Y P U - Y I, called as a witness on behalf  
8 of the prosecution, resumed the stand and testi-  
9 fied as follows:

## CROSS-EXAMINATION (Continued)

10  
11 BY MR. FUJII:

12 Q Is the witness aware of the fact that before  
13 the establishment of Manchukuo there was 350,000  
14 bandits there; however, after nine years this number  
15 went down as far as 1,300?

16 THE MONITOR: Slight correction: instead of  
17 "before the establishment," "around the time of the  
18 establishment of."

19 THE PRESIDENT: This can only go to mitigation  
20 of punishment, if any punishment is imposed. The  
21 witness may answer.

22 A The matter of banditry is purely a matter of  
23 national concern, a domestic matter. The fact that  
24 Japan has invaded Manchuria is totally different --  
25 a different matter from the matter of banditry. I

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1 don't know what is the number of Chinese that were  
2 being massacred by the Japanese through all these years.

3 THE PRESIDENT: That is not an answer,  
4 Witness. You must answer the question if you can.

5 THE WITNESS: About the number of bandits, I  
6 have never made any personal investigation. Therefore,  
7 I cannot tell.

8 MR. FUJII: I am satisfied with the answer.  
9 Now, there is, on what I wish to tender here, the seal --  
10 a seal which I think is the seal of the witness -- the  
11 signature or the writing of the witness, himself. I  
12 wish the Tribunal's permission to show this to the  
13 witness and have it confirmed, whether it is his writ-  
14 ing or not.

15 (Whereupon, the document above referred  
16 to was handed to the witness.)

17 THE WITNESS: Naturally all these laws were  
18 made in my name and I wrote them.

19 THE MONITOR: Instead of "wrote" it should  
20 be "I signed them."

21 THE PRESIDENT: Well, did you sign that docu-  
22 ment you have just been shown?

23 THE WITNESS: Yes.

24 THE PRESIDENT: Well, tender it now. Do you  
25 want him to look at the seal also?

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1 CLERK OF THE COURT: Do you wish all three  
2 of these marked as one exhibit or separately?

3 THE PRESIDENT: Admitted.

4 MR. FUJII: I would like to have it accepted  
5 separately, admitted separately.

6 CLERK OF THE COURT: The offering of the  
7 defense of three documents marked respectively 283,  
8 284, and 285.

9 (Whereupon, the documents above referred  
10 to were marked defense exhibits 283, 284, and  
11 285, and received in evidence.)

12 MR. FUJII: That ends my cross-examination.

13 THE PRESIDENT: Mr. Mattice.

14 MR. MATTICE: On behalf of the defendant  
15 ITAGAKI, if the President please.

16 THE PRESIDENT: I don't recollect whether  
17 ITAGAKI's Japanese counsel has appeared or not to  
18 cross-examine.

19 MR. MATTICE: No, if the President please,  
20 Japanese counsel representing ITAGAKI has not cross-  
21 examined.

22 THE PRESIDENT: It is all right.  
23  
24  
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## CROSS-EXAMINATION (Continued)

BY MR. MATTICE:

Q Mr. Witness, when you journeyed from your home in the Republic of China to Port Arthur, you were accompanied, I understood you to say, by two of your four adviser friends. Where were the other two on that occasion?

A I don't know exactly where they were but I guess that one of them was then in Port Arthur; the other was in Tientsin.

Q And it was ~~Lee~~ Chan-yu who was in Port Arthur, was it not?

A He has got a house in Port Arthur. His family was then in Port Arthur.

Q Was he there?

A He was then sometime in Tientsin and sometime in Port Arthur.

Q Now, between the time when the so-called Mukden Incident occurred, September 18, 1931, and the time when you arrived in Port Arthur, tell this Tribunal whether you had had any conversation or had executed any writing to or with any person concerning your desire or concerning the idea of what we have heard referred to here as your restoration?

THE PRESIDENT: He said this morning,

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1 Mr. Mattice, that he did not tell the Chinese Govern-  
2 ment -- the Chinese National Government -- that he was  
3 seeking restoration, and he gave a reason which would  
4 exclude his telling anybody that. Do you want him to  
5 repeat himself in effect?

6 MR. MATTICE: I wish to make certain, if the  
7 President please.

8 THE PRESIDENT: Well, I am assured, by at  
9 least one of my colleagues, that he answered that  
10 question you put to him some time back, but I don't  
11 recall.

12 MR. MATTICE: There is some doubt about it  
13 and I desire to make certain that during that period --

14 THE PRESIDENT: Answer the question, Witness.

15 A No.

16 Q Did you know a Japanese national and an  
17 official of the Japanese Government in the year 1931  
18 whose name was KAWASHIMA and who was Consul General  
19 of Tientsin?

20 A Yes.

21 Q Did you have any conversation with him --

22 A No.

23 Q I hadn't finished my question, if the Presi-  
24 dent please. My question, Mr. Witness, is whether  
25 you had any conversation with KAWASHIMA, the Consul

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1 General of Japan at Tientsin, about November, 1931,  
2 concerning the matter of your restoration to the  
3 Throne of China?

4 A No. I don't recall that at all.

5 Q Or any such conversation with respect to  
6 your restoration to the Throne of that part of China  
7 known as Manchuria?

8 A No, not at all.

9 Q I will ask you, Mr. Witness, if on or about  
10 the third of November, 1931, at Tientsin, in a con-  
11 versation with KAWASHIMA, Consul General of the Jap-  
12 anese Government at that point, you did not, in a  
13 conversation with the Consul General in which the  
14 Consul General reported to you that the Emperor of  
15 Japan welcomed your restoration as Emperor of Manchuria,  
16 if in that conversation you didn't express your desire  
17 to know to what extent the Japanese Government intended  
18 to assist in that matter and also expressed your  
19 wish to know the details of the method by which it  
20 was proposed that you would make your escape from  
21 China?

22 A This is a Japan fabricated story. There was  
23 no fact at all.

24 Q Then you didn't have such a conversation?

25 A No.

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1 General of Japan at Tientsin, about November, 1931,  
2 concerning the matter of your restoration to the  
3 Throne of China?

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5 Q Or any such conversation with respect to  
6 your restoration to the Throne of that part of China  
7 known as Manchuria?

8 A No, not at all.

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10 the third of November, 1931, at Tientsin, in a con-  
11 versation with KAWASHIMA, Consul General of the Jap-  
12 anese Government at that point, you did not, in a  
13 conversation with the Consul General in which the  
14 Consul General reported to you that the Emperor of  
15 Japan welcomed your restoration as Emperor of Manchuria,  
16 if in that conversation you didn't express your desire  
17 to know to what extent the Japanese Government intended  
18 to assist in that matter and also expressed your  
19 wish to know the details of the method by which it  
20 was proposed that you would make your escape from  
21 China?

22 A This is a Japan fabricated story. There was  
23 no fact at all.

24 Q Then you didn't have such a conversation?

25 A No.



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1 Q I will ask you, Mr. Witness, if on or shortly  
2 prior to the 13th of November, 1931, at Tientsin you  
3 did not have a conversation with KAWASHIMA, Consul  
4 General of Japan stationed at that city, concerning  
5 the subject of your restoration to the Throne of  
6 Manchuria, in which conversation you did not say to  
7 the Japanese Consul General whom I have named that  
8 you thought the time was not yet ripe for such restora-  
9 tion?

10 THE PRESIDENT: It is difficult to class  
11 that as a statement inconsistent with his present  
12 testimony. It is possible, however, that an implica-  
13 tion may be drawn from it, and you may ask the ques-  
14 tion. He may answer the question.

15 MR. MATTICE: Very well.

16 A I think I had already replied to you. I  
17 said there was no such thing at all.

18 MR. MATTICE: Just one more question on that  
19 subject, if the President please.

20 Q Did you have such conversation with any  
21 Japanese official at the time I have mentioned con-  
22 cerning the matter about which I have inquired?

23 A No.

24 Q Now, how many interviews or conversations did  
25 you have with ITAGAKI?



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1           A    There was once in Port Arthur when he called  
2   on me.

3           Q    I understood you to say in your direct exam-  
4   ination that you had had two. Was there another after  
5   that time when he called on you?

6           A    Yes, the next interview was after the first  
7   interview when I refused his demands. The second inter-  
8   view was on the occasion when my advisers persuaded me  
9   to accede to his demands and see him once more. I  
10   considered that as a series of events.

11          Q    Was there a third time when you and ITAGAKI  
12   met and conversed about these matters?

13          A    There were only two interviews I had with  
14   ITAGAKI at Port Arthur. But after we got into Chang-  
15   chun I saw him frequently.

16          Q    I will ask you, Mr. Witness, if it isn't a  
17   fact that the first interview which you had with  
18   ITAGAKI at Port Arthur was in the last part of January  
19   1931; and that if you didn't have a second meeting  
20   with him there on February 22, 1932, and if you then  
21   didn't have a third meeting with him at Port Arthur  
22   on February 29, 1932, on which occasion you had sent  
23   word to him asking him to come down there and see you?

24                That first date, if the President please,  
25   should be '32. January 1932, that should be.

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1           A   No, I don't quite agree with you. The first  
2 important meeting was -- at the first important inter-  
3 view we were talking about the subject matter. It  
4 was during that meeting that we were asked to accede  
5 to all his demands. And there was one more meeting  
6 after that. I cannot remember the rest. As far as  
7 I remember I saw him twice on the same subject matter.

8           Q   Is there a place in Manchuria known as  
9 Tokoshi Hot Springs?

10          A   Yes. Before I got to Port Arthur we were  
11 staying at Tang Kang-tzu Hot Springs for about a week.

12          Q   Did you see ITAGAKI there on that occasion?

13          A   Yes -- no. The answer is no.

14          Q   I ask you then, Mr. Witness, if you didn't  
15 have a fourth meeting with ITAGAKI on or about  
16 March 6, 1932, at Tokoshi Hot Springs?

17          A   I have already replied to you what I remember.  
18 And it was that important interview I have already  
19 testified to. With the lapse of ten more years I  
20 cannot remember all these dates; but, of course, I do  
21 remember that important event, when I got the worst  
22 excitement.

23          Q   Now, at this same time, Mr. Witness, what is  
24 the fact about others, and I have reference to Man-  
25 churian nationals, coming to see you in respect to the

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1 same matters while you were at Port Arthur?

2 MR. KEENAN: Object.

3 THE PRESIDENT: Objection upheld.

4 Mr. Mattice, you must put -- I do not know  
5 why that light goes up in the middle of the statement  
6 I am making when it is my turn to speak. Mr. Mattice,  
7 you must put questions as short and as clear as pos-  
8 sible. Your questions this afternoon have been rather  
9 lengthy and have given great difficulty to the inter-  
10 preters.

11 Q Did a committee of six Manchurians come to  
12 see you one time?

13 A After I had seen ITAGAKI and when everything  
14 was settled, the Peace Preservation Maintenance Coun-  
15 cil in Manchuria sent over some Chinese member to see  
16 me. But that was at the instigation of the Japanese,  
17 of course.

18 Q I have reference, Mr. Witness, to the report  
19 of the Lytton Committee made to the League of Nations,  
20 on page 95 of that report. I will ask you if on  
21 March 4, that same year, a second delegation compris-  
22 ing 29 delegates came to see you asking you to con-  
23 sent to be the ruler of Manchuria?

24 MR. KEENAN: Mr. President, the prosecution  
25 objects to this question, on the grounds that it

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1 touches no matter referred to by the witness on direct  
2 examination for the purpose of impeaching his credi-  
3 bility, and secondly, that it is not of consequence  
4 for others besides the Japanese to importune this wit-  
5 ness to become Emperor. I do not believe it to be  
6 relevant.

7 THE PRESIDENT: What is the point of your  
8 question, Mr. Mattice?

9 MR. MATTICE: I will not pursue that question,  
10 if the Tribunal please.

11 Q Now, Mr. Witness, I understood you to say in  
12 your direct examination that you desired a private  
13 interview or talk with Lord Lytton when he was there  
14 with his Commission, but that you had no opportunity  
15 for such, is that true?

16 THE PRESIDENT: I have repeatedly said, Mr.  
17 Mattice, that we do not want any witness to confirm  
18 his answers, or to change them; that is, by having the  
19 same question repeated.

20 MR. MATTICE: Very well, sir.

21 Q Had you had a private interview with Lord  
22 Lytton or members of his Commission on that occasion,  
23 would you have told him the truth about these matters?

24 THE PRESIDENT: The question is hypothetical  
25 and must be disallowed.

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1 Q Did you know Wellington Koo, a prominent citi-  
2 zen of the Republic of China at that time?

3 A I had never seen him.

4 Q I didn't hear the witness' answer.

5 A I had never seen him.

6 Q Did you know who he was?

7 MR. KEENAN: I object to the question, your  
8 Honor.

9 THE PRESIDENT: Objection allowed.

10 MR. MATTICE: Very well. That concludes the  
11 cross-examination, if the Tribunal please, on the part  
12 of the defense.

13 THE PRESIDENT: Mr. Chief Prosecutor.

14 MR. KEENAN: Mr. President, no redirect.

15 THE PRESIDENT: Well, do you want any special  
16 directions about the witness?

17 He may leave Tokyo on the same terms as the  
18 other witnesses in the same position.

19 (Whereupon, the witness left the  
20 witness box.)

21 THE PRESIDENT: Recall the witness.

22 (Whereupon, the witness resumed the  
23 witness stand.)

24 THE PRESIDENT: Just keep him handy. Do not  
25 put him in the box yet.



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1           Those lights must go off because there is  
2 no air conditioning.

3           (Whereupon, a discussion was had  
4 among Members of the Tribunal.)

5           THE PRESIDENT: The witness will be retained  
6 until further orders.

7           We will recess now for fifteen minutes.

8           (Whereupon, at 1445, a recess was  
9 taken until 1500, after which the proceedings  
10 were resumed as follows:)

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: The witness is no longer  
4 required, and his release is already set on the  
5 same terms as the other witnesses who have come from  
6 abroad.

7 Mr. Logan.

8 MR. LOGAN: If the Tribunal please, before  
9 the adjournment the defense was about to make a re-  
10 quest that this witness be held in Tokyo, and if the  
11 Tribunal has considered that as a body, we would like  
12 to be heard on that question, because we feel that,  
13 in view of the question of the authenticity of this  
14 witness's signature, it will probably be necessary for  
15 the defense to call handwriting experts, and that would  
16 involve technical testimony and require further exhibi-  
17 tions of this witness's handwriting, and for that  
18 reason we believe that he should be held here.

19 I believe it is quite apparent that a further  
20 examination of this witness by means of a commission  
21 to Siberia would be both difficult and unsatisfactory.

22 THE PRESIDENT: The Court has given considera-  
23 tion to the matters you have mentioned, and we see no  
24 reason whatever why this man should be kept in Tokyo.  
25 He can be interrogated later, if necessary, that is,

1 by written request. Now, while he was in the box you  
2 could have asked him to have given you specimen signa-  
3 tures and specimens of his writing, but very wisely  
4 you did not. In the witness box a witness might dis-  
5 guise his handwriting. But you have the writing on  
6 the fan, which he admits is his, and you have the  
7 writing on the latest document tendered, which he  
8 admits is his. You require nothing further to ground  
9 an attack. If we understand Mr. Keenan, the Chief  
10 Prosecutor, rightly, he is going to suggest that the  
11 signature on exhibit 278 is a forgery. If that is so,  
12 the signature or the writing becomes something more  
13 than a mere collateral matter; otherwise, it is, as  
14 one of my colleagues rightly points out, only a  
15 collateral matter. That is all it is as regards the  
16 defense.

17 MR. LOGAN: I appreciate fully what your  
18 Honor has said, but what I had in mind was this:  
19 that oftentimes a handwriting expert, before giving his  
20 opinion, will request that the witness exhibit  
21 characters, words, or letters similar to those which  
22 appear on a document which is being attacked, and  
23 which may not appear on the document which the witness  
24 admits is genuine.

25 THE PRESIDENT: You have or you could have.

1       secured from the witness while he was in the box  
2       all that is necessary for you to attack his credit;  
3       whereas, Mr. Chief Prosecutor has all that is  
4       necessary for him to attack exhibit 278, so far as  
5       either attack is based on the witness's handwriting.

6               MR. KEENAN: Mr. President, since this  
7       witness was brought into court under somewhat unusual  
8       conditions, the prosecution has made arrangement and  
9       will be glad to tender him to any experts suggested by  
10      defense for any further specimens of handwriting made  
11      in the presence of such expert prior to Friday noon-  
12      time of this week. I revise that, Mr. President, to  
13      Thursday night to meet conditions that have already  
14      been arranged.

15             THE PRESIDENT: Yes.

16             Is there any further evidence?

17             MR. LOGAN: That is acceptable to the defense,  
18      your Honor.

19             THE PRESIDENT: Mr. Sutton.

20             MR. SUTTON: May it please the Tribunal, the  
21      prosecution desires to introduce at this time twenty  
22      documents, which carry the number, IPS number 1767,  
23      with separate serial numbers on each. They will be  
24      introduced separately, but have a similar certificate  
25      of authentication on each. Copies of these documents,

1 both in English and in Japanese, together with the  
2 certificate of authenticity attached, were served on  
3 defense counsel on yesterday. They are particular to  
4 that phase of the case immediately before the Court.

5 THE PRESIDENT: Give us a short description  
6 of this document before I admit it, if I do admit it.

7 MR. SUTTON: The first which we desire to  
8 offer is a telegram from Foreign Minister SHIDEHARA  
9 to Consul General KUWASHIMA at Tientsin, dated 1  
10 November 1931.

11 THE PRESIDENT: Counsel General KUWASHIMA,  
12 is it not?

13 MR. SUTTON: There is attached thereto a  
14 certificate of authenticity signed by the Chief of  
15 the Archives Section of the Foreign Office, under seal.

16 THE PRESIDENT: Well, what is the document?

17 MR. SUTTON: It is from the Chief of the  
18 Foreign Office of the Japanese Government at Tokyo.

19 THE PRESIDENT: This concerns a movement to  
20 restore to the Throne Emperor Hsuen Tung.

21 Admitted on the usual terms.

22 CLERK OF THE COURT: Prosecution's document  
23 1767 will be marked Exhibit 286.

24 (Whereupon, prosecution's exhibit  
25 No. 286 was received in evidence.)



1 MR. SUTTON: This document, for further  
2 identification, bears a sub-number of 222. The sub-  
3 numbers on the documents all bear the prefix 41, and  
4 then the title number on this one is 222.

5 THE PRESIDENT: Before a court admits a  
6 document, it wants a description of it so it will  
7 know whether it ought to admit it or not. That is  
8 all I am asking for. I am not asking for all these  
9 figures.

10 MR. SUTTON: The statement, if your Honor  
11 please, was made at the request of defense counsel,  
12 since they all carried identification number 1767.

13 THE PRESIDENT: All you need to tell us is  
14 the prosecution number, who the telegram is from and  
15 to whom it was sent, the date and telegram number, and  
16 the nature of the document. If you go through all this  
17 rigmarole every time we will waste days.

18 Yes. Well, read it.

19 MR. SUTTON: (Reading)

20 "From: Foreign Minister SHIDEHARA

21 "To Consul General KUWASHIMA at TIENTSIN."

22 THE PRESIDENT: You have already gone through  
23 that.

24 MR. SUTTON: (Reading continued)

25 "Sent on 1 November 1931

1 "Concerning movement to restore to the  
2 Throne Emperor Hsuen Tung.

3 "Telegram No. 81 (Code, Urgent. Top secret)

4 "Re: Your Telegram No. 453.

5 "1. As our negotiation with the Chinese  
6 side on the present incident does not seem to pro-  
7 gress smoothly, it is desirable that we on our part  
8 should, for the time being, replete the workings of  
9 the organs in charge of the maintenance of public  
10 order and gradually control the inner regions in the  
11 same way. As to the security of our rights and  
12 interest, which heretofore have been infringed, we  
13 have no other means than to have the South Manchurian  
14 Railway Company and such others take up the matter as  
15 a practical problem of commercial transactions with  
16 the Chinese side. Moreover, I feel that with the  
17 progress of time, these autonomic organs would  
18 gradually develop and as a matter of course would all  
19 unite by amalgamation or by the election of a con-  
20 troller, or other such means. (Of course, if we can  
21 bring about our desired state of affairs through  
22 negotiation with the Chinese side, it would be far  
23 better.)

24 "2. However, to form an independent state  
25 in Manchuria at this time would immediately raise a

1 question as being contrary to Section 1, Article 1  
2 of the Washington Nine Power Pact and would most  
3 certainly cause a great dispute among American and  
4 other signatory powers of the said Pact. (The Central  
5 Military also assents to this point.) And, although  
6 ~~the~~ emergence of Emperor Hsuen Tung is not immediately  
7 connected with the founding of an independent country,  
8 other powers might interpret the matter as though we  
9 are planning to create an Independent State of Man-  
10 churia. (Even if we make it in the form of a voluntary  
11 escape of the Emperor, the other Powers are not likely  
12 to believe this, and it is extremely difficult to keep  
13 incidents of this kind in secrecy.) In any case, the  
14 abduction of the Emperor at this time would bring us  
15 into the most unfavorable situation in face of the  
16 Session of the Board of Directors on 16 November, and  
17 world opinion will again be incensed, and our scheme  
18 to carry out gradually our actual construction work  
19 in that locality later with the pacification world  
20 opinion would be greatly handicapped.

21 "3. Moreover, taking into consideration the  
22 fact that almost the whole population of Manchuria of  
23 today consists of Chinese nationality, the restoration  
24 of Emperor Hsuen Tung would be unpopular in Manchuria  
25 proper. More so, the influence of such an event in

1 China proper as well as in other countries where this  
2 action would be taken as anti-revolutionary and as an  
3 anti-democratic stratagem is beyond our imagination.  
4 Moreover, it would make it quite impossible for us to  
5 reach an understanding with China forever in the future.  
6 In any case we can only say that the Restoration to the  
7 throne of Emperor Hsuen Tung is a plan quite erroneous  
8 of time and I feel that in the future the above will  
9 bear great evil in the future management over Man-  
10 churia and Mongolia by our Empire.

11 "4. According to telegram No. 1016 addressed  
12 to me, Liu-Huan-Yeh at present is staying in Japan  
13 investigating the opinion of all quarters and it seems  
14 that he has met with strong opposition. Even the War  
15 Minister MINAMI is inclined to oppose the scheme and  
16 Lieutenant-General SAKANISHI, it seems, has explained  
17 to Liu-Huan-Yeh that his scheme is erroneous of time  
18 and has requested prudence of the Emperor.

19 "5. Such being the case, I ask you to keep  
20 the above well in mind and do your utmost to stop the  
21 abduction plan of Emperor Hsuen Lung on one hand, and  
22 on the other hand earnestly propose to the Emperor in  
23 a suitable way to be prudent, and I also ask you to be  
24 on guard.

25 "This telegram has been relayed to the

1 Minister to China, to Peking, and to Mukden."

2 Judge Hsiang will present further telegrams  
3 on this.  
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1 THE PRESIDENT: Judge Hsiang.

2 JUDGE HSIANG: If it please the Tribunal, the  
3 prosecution tenders in evidence further official  
4 documents exchanged between Japanese Government  
5 officials on the subject of Japanese abduction of  
6 the dethroned Emperor Hsuen Tung to head independent  
7 movement in Manchuria -- a movement the establishment  
8 of which Japanese were planning and engineering.  
9 Now I will read a few telegrams.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution document  
12 number 1767-223 will be marked "Exhibit Number 287."

13 (Whereupon, prosecution's exhibit No.  
14 287 was received in evidence.)

15 JUDGE HSIANG: Telegram from KUWASHIMA, Consul  
16 General at Tientsin to SHIDEHARA, Foreign Minister,  
17 sent P. M. 1 November 1931, Tientsin; received A. M.  
18 2 November 1931. Telegram No. 457 (in code).

19 (Reading): "YAO CHEN told us confidentially  
20 to the effect that concerning the remedial measures  
21 for the Manchurian problem, the representatives of  
22 the people of Three Eastern Provinces, LIU EN-KO,  
23 PING KO-CHUANG, LIU CHENG-SHENG, HO KUO-CHUNG, CHAO  
24 CHEN and CHIN TING-HSUN arrived at Tientsin a few days  
25 before to have a secret conference with the AN-FU group.

1 "They agreed upon the bill as regards the autonomy  
2 of Three Eastern Provinces region which you will  
3 see in my telegram No. 458, and also upon the fol-  
4 lowing items. They left on the 31st for Mukden  
5 via Dairen.

6 "(1) First to send telegrams for attacking  
7 HSUEH-LIANG.

8 "(2) To withdraw from the Nanking Government for  
9 the time being and try to restore the Five Races  
10 Republic Government which will be law-governed.

11 "(3) To appoint an elder statesman for the head  
12 of the Central Government who has rendered great  
13 services to the country and enjoys explicit confidence  
14 at home and abroad, and put the Government under his  
15 charge. (This points to TUAN CHI-JUEI)

16 "(4) During the transition period, to place the  
17 administration of the Northeastern districts in the  
18 hands of the organ as shown in the telegram No. 458.

19 "The representatives, to add for your information,  
20 appear to intend to carry out these plans with the  
21 consent of the Japanese Inspector-Generals, such as  
22 the Commander HONJO. (Please do not publish for the  
23 time being.)

24 "This telegram, along with the other, was trans-  
25 mitted to the Minister, Mukden and Peiping."

1 This is duly certified as is shown.

2 I propose to read another telegram.

3 THE PRESIDENT: Tender it first.

4 JUDGE HSIANG: The prosecution tenders in  
5 evidence telegram dated P. M. 2 November 1931,  
6 received P. M. 2 November 1931.

7 LANGUAGE SECTION CHIEF: Would you give us  
8 the number, please?

9 JUDGE HSIANG: 4-1-229.

10 THE PRESIDENT: This is from the Consul General  
11 at Shanghai to the Foreign Minister SHIDEHARA alleging  
12 the Japanese were stirring up agitation for the inde-  
13 pendence of the Three Eastern Provinces. You should  
14 be telling me this, Mr. Hsiang.

15 JUDGE HSIANG: This is a telegram from the  
16 Japanese Consul General at Shanghai Murai to Foreign  
17 Minister SHIDEHARA in Tokyo dated November 2.

18 THE PRESIDENT: Well, you tendered this. It  
19 is admitted on the usual terms.

20 CLERK OF THE COURT: Prosecution document  
21 No. 1767-229 will be marked "Exhibit Number 288."

22 JUDGE HSIANG: With the Court's permission I  
23 will read Document Exhibit 288.

24 THE PRESIDENT: Don't read that again. That  
25 has been read out. Just read the substance of it.

JUDGE HSIANG: (Reading)

"The Chinese newspaper of the 2nd instant published a telegram from Tientsin to the effect that the Japanese were stirring up agitation for the independence of the Three Eastern Provinces, that Prince Kung had already given his complete acceptance, but Emperor Hsuen Tung had refused, so that Col. DOIHARA had to come to Tientsin secretly; that he arrived at Tarchun from Darien on the 29th en route. The newspaper said that he had been sent to Tientsin on a small steam boat by the Japanese agents, that he is now secretly planning to take various steps to take Emperor Hsuen Tung to Mukden; but since Emperor Hsuen Tung still refused, the Japanese were threatening him.

"Forwarded to the minister, to Tientsin, to Peking, to Mukden, and to Nanking."

On the same subject the prosecution proposes to tender in evidence another telegram from the Japanese Consul-General in Tientsin to the Foreign Minister in Tokyo. Sub-heading of the document is 4-1-230.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Prosecution document No. 1767-230 will be marked exhibit No. 289.



1 (Whereupon, prosecution's exhibit No.  
2 289 was received in evidence.)

3 JUDGE HSIANG: I will now read into the re-  
4 cord document exhibit 289: (Reading)

5 "According to your telegram instruction,  
6 No. 81, we tried every means to persuade DOIHARA  
7 but he was insisting on the following points:

8 "(1) As the unity between CHIANG Sue-  
9 Liang's and CHIANG Kai-shek was very strong recently  
10 the chances of CHIANG Sue-Liang's downfall became  
11 next to impossible. The present Manchuria Regional  
12 Government except Mr. Hsi-Chih would conspire with  
13 the old government in deference to it, so there  
14 was absolutely no prospect of any natural develop-  
15 ment of events expected by our government.

16 "(2) In order to pretend that Japan has  
17 nothing to do with the abduction of the Emperor,  
18 it would be needed to land him ashore at Yin-Kow,  
19 but if time was wasted, this port would be frozen.

20 "(3) Taking advantage of the arrival at  
21 Tientsin of Ching-Liang from Mukden, we can pro-  
22 pagate as if he had come, to receive here the Em-  
23 peror.

24 "(4) Here we can get chartered and use a  
25 Chinese ship.



1           "(5) The fact that the Chinese population  
2 in Manchuria is not talking much about this matter  
3 is due to their anxiety about the Emperor's resolu-  
4 tion and their discretion toward Japan. So, if the  
5 Emperor is resolved to go to Manchuria at the risk  
6 of his life, and its method can be provided, it will  
7 be possible to make it appear like a Chinese move-  
8 ment, by enhancing Chinese public opinion and making  
9 public the statement to welcome the Emperor. To  
10 this the staff of our Consulate advised him about  
11 the International situation and the relation with  
12 China proper. Moreover, I told him as my personal  
13 opinion that even if the Emperor's emergency from  
14 retirement could be propagated as owing to the de-  
15 sire on the part of the Chinese in Manchuria, it  
16 would be preferable to see the results of the ses-  
17 sion of the Board of Directors of the League, and in  
18 case the Chinese are really desirous and ample mea-  
19 sures can be taken there would occur no difference  
20 about his landing place to be Yin-Low or Dairen.  
21 His (DOIHARA) arrival to Tientsin, I continued,  
22 being a well-known fact already, he had better give  
23 up the plan at least for the time being, but he did  
24 not accept my advice. On the contrary, he expressed  
25 his scheme to the effect that if it should be clari-

1       fied by sounding the Emperor's mind that he had no  
2       intention to run the risk, he would leave with a  
3       parting remark that there would be no such oppor-  
4       tunity in future for the Emperor, and dispatch a  
5       telegram to the military authorities at Mukden to the  
6       effect that he would consider an alternative as the  
7       present plan was hopeless of success.

8               "(Copies sent to Peking and Mukden)"  
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1 JUDGE HSIANG: Prosecution proposes to tender  
2 in evidence document 1767, sub-heading 4-1-231. This  
3 is a telegram from KUWASHIMA, Consul-General in Tien-  
4 tsin to the Foreign Minister SHIDEHARA in Tokyo, dated  
5 at Tientsin November 3, 1931.

6 THE PRESIDENT: Is the subject matter the  
7 same?

8 JUDGE HSIANG: The subject matter is about  
9 DOIHARA's work in having the dethroned Emperor Hsuen  
10 Tung brought to Manchuria.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution document  
13 Number 1767-231 will be marked "Exhibit Number 290."

14 (Whereupon, prosecution's exhibit No.  
15 290 was received in evidence.)

16 JUDGE HSIANG: With the Court's permission  
17 I will read Document Exhibit Number 290.

18 (Reading): DOIHARA told the staff of the  
19 Consulate that the Manchurian state of affairs was  
20 brought to the present condition solely by the  
21 activities of the military authorities there and that  
22 in case that the enthronement of the Emperor becomes  
23 indispensable in order to save the situation, it would  
24 be outrageous for the present government to take the  
25 attitude of preventing it. If it should prove true,

1 "the Kwantung Army might separate from the government;  
2 and who knows what action it might take? In Japan  
3 proper too besides the assassination plotters who are  
4 now under confinement, some graver accident may occur,  
5 he feared. The policy of the government is out of  
6 the question at this time. If the Emperor should de-  
7 cide to come out, he must be brought out even if it  
8 depends on political expediency as a means, he threat-  
9 eningly declared. As you know, he (DOIHARA) has close  
10 liaison with the Governor-General of Korea; and the  
11 fact that before this incident, when Chao Hsin Po  
12 in order to overwhelm the Mukden faction, asked  
13 DOIHARA to let him have confidential talks with some  
14 influential Japanese, he was immediately introduced  
15 to the Governor-General. (DOIHARA's direct talk on  
16 the 31st shows good evidence of it.) Again when  
17 Commander HONJO was requested by DOIHARA and others to  
18 get the understanding of the Consul-General, he simply  
19 gave them advice not to act in a hurry. (DOIHARA's talk  
20 on the 2nd.) And on the other hand he took such steps  
21 as seen in our telegram No. 449; these facts can not  
22 but be considered to explain that even the Commander  
23 has to take into consideration the influential back-  
24 ground. Consequently it can be no more than a trifle  
25 to advise them here to stop activities, and I suppose



1 that it will be without avail. Further with regard  
2 to the Emperor, I have repeated through his attendants  
3 my advice to act with greater prudence. Kindly let  
4 me know your instructions as to the degree to which  
5 I may speak to the Emperor about this matter.

6 "Dispatch relayed to the minister, to Peiping  
7 and to Mukden."

8 THE PRESIDENT: Well, this is a convenient  
9 break. We will adjourn now until half-past nine  
10 tomorrow morning.

11 (Whereupon, at 1555, an adjournment was  
12 taken until Wednesday, 28 August, 1946, at  
13 0930.)  
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